

**Chalkyitsik Village Council  
PO Box 57  
Chalkyitsik, Alaska 99788  
(907) 848-8117**

**August 5, 2003**

**Mike Haskins  
Bureau of Land Management  
222 West 7<sup>th</sup> Avenue, #13  
Anchorage, Alaska 99513**

**Dear Mr. Haskins,**

**The Chalkyitsik Tribal government is against the recordable disclaimer and have the support of the Chalkyitsik Native Corporation. Thus, the local people do constitute an adverse claimant or occupant of the affected lands contrary to the legal notice on the disclaimer.**

**Neither the State of Alaska nor the Bureau of Land Management has traveled to Chalkyitsik or Fort Yukon to consult with the Tribal Governments. If the State did not identify adverse claimants to the land for the simple reason that they did not talk to the people who live in the area.**

**There are numerous cultural sites of Chalkyitsik people along the Black River that have not been considered including gravesites. These sites do demonstrate that the people of the area are previous occupants and have a vested interest in being consulted on the Federal decision. Does the disclaimer relieve the Bureau of Land Management from their National Historic Preservation Act responsibility to manage sites eligible for the National Register of Historic Places? If so, has the Bureau of Land Management completed the Section 106 review for those historic properties?**

**There are numerous native allotments that will be affected. The disclaimer will lead to a different style of land management and will likely cause more trespassing on restricted native lands.**

**There is a moose calving ground at the headwaters of Salmon River (Old Salmon Village) that has not been taken into account with the proposed disclaimer.**

**State management of the riverbed could lead to mining activities under State law. Have these potential impacts been considered? Has the Bureau of Land Management followed their General Procedural Guidance for Native American Consultation (BLM Manual Handbook H-8160-1)? Has the Bureau of Land Management consulted with the Bureau of Indian Affairs as part of their requirement to coordinate with other Federal Agencies? This is controversial, precedent setting, and may affect historic properties. For these reasons alone, the disclaimer process should not be categorically excluded from a**

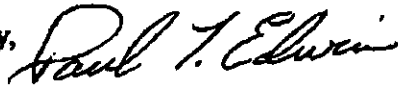
National Environmental Policy Act (NEPA) review. An Environmental Assessment should be prepared with appropriate tribal consultation.

I believe that the Bureau of Land Management's decision on the State's application may affect my legal rights including my property rights as an allottee and also my subsistence rights. I am also concerned that if the State should gain title to the riverbeds at issue, my rights may be adversely impacted by actions the State may take in the future, such as mining or other industry use. The Bureau of Land Management has a trust responsibility with respect to allotments and to protect the Alaska Native subsistence culture and economy.

As the beneficiary of an allotment held in trust by the United States, I have an entitlement for the use of waters from streams which arise upon, traverse or border on that allotment for agricultural, domestic household uses, and perhaps for processing minerals derived from the allotment. The Department of Interior has an obligation to ensure that such rights are preserved in any disposition of the State of Alaska's application. Any action the Bureau of Land Management takes in response to the State's filing must take these matters into account.

Thank you for taking consideration of my concerns and questions. If you have any questions or comments regarding this letter, please don't hesitate to contact me at (907) 848-8117.

Respectfully,



Paul T. Edwin, 1<sup>st</sup> Chief  
Chalkyitsik Village Council